REMARKS

Claims 1-6, 8, 9 and 11-15 are pending in the present application. With entry of this Amendment, Applicant amends claims 1, 12 and 13. Reexamination and reconsideration are respectfully requested.

The Examiner rejected all of the pending claims under 35 U.S.C. § 102(a) as being anticipated by Hampton et al. (US 6149490). The rejection is respectfully traversed.

Claim 1 has been amended to recite that the input interface of the toy "further receives, from outside said electronic toy, first instructing information that the received control information should be additionally stored in said memory." Dependent claim 12 which previously recited this recitation has been amended accordingly. Support for the amendment is found throughout the specification, including at page 24, lines 7-19.

Hampton does not disclose that the infrared receive block 1008 of the toy receives any such instructing information (see, e.g., Col. 17, lines 24-27; Col. 19, line 41 to Col. 20, line 16; Col. 28, lines 36-50). Accordingly, Applicant respectfully submits that claim 1 is not anticipated by Hampton. Dependent claims 2-6, 8, 9, 11,12 and 15 are not anticipated by Hampton for at least the reasons set forth with respect to independent claim 1.

Claim 13 has been similarly amended. Applicant respectfully submits that claim 13 and 14 are not anticipated by Hampton for at least the reasons set forth above with respect to claim 1.

The Examiner also rejected claims 1-4, 8 and 11-15 under § 103(a) as being unpatentable over Murasaki et al. (US 6253058) in view of Sharpe, III et al. (US 6012961). The rejection is respectfully traversed.

The Examiner concedes that Murasaki fails to disclose an input interface. Sharpe does not disclose that the toy receives an instruction to additionally store control information in the toy's memory. In one embodiment, Sharpe merely discloses that new data is selected to *replace* the existing data, thereby precluding the receipt of any signal instructing the *addition* of data (see Col. 1,

line 45 to Col. 2, line 14 and Col. 5, lines 18-20 and 35-40). In another embodiment, data is provided to the toy in a real-time and there is, once again, no disclosure of the toy receiving any signal instructing the addition of data (see Col. 9, lines 13-22).

Furthermore, there is no motivation to modify Murasaki in view of Sharpe. The Examiner does not cite any express suggestion to modify Murasaki to have the recited interface. Nor does there appear to be any implicit suggestion to modify Murasaki. The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art and the nature of the problem to be solved as a whole have suggested to those of ordinary skill in the art. See, e.g., In re Kotzab, 217 F.3d 1365, 1370 (Fed. Cir. 2000). The fact that the Examiner has identified a component (i.e., an interface) in Sharpe is insufficient. "Rather, particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected those components for the combination in the manner claimed." Id., at 1371. Such an artisan would not have made the asserted selection, because Murasaki and Sharpe are directed to different problems. Murasaki is directed to a toy which can react to and display emotions in accordance with how it is handled (see Col. 1, lines 19-23) while Sharpe is directed to readily changing the programs of a toy (see Col. 1, lines 41-44). That is, there would be no need to insert an interface in Murasaki's toy, because obtaining new programs is not a concern to Murasaki. Rather, what is a concern is that the toy react to and display emotions in accordance with how it is handled. This is achieved by a set program and the disclosed sensor arrangements in Murasaki.

Accordingly, Applicant respectfully submits that claims 1-4, 8 and 11-15 are patentable over the cited references Murasaki and Sharpe.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles

telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032029100.

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Respectfully submitted,

By _____

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